



PATENT  
Attorney Docket No.: 3495.0010-24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marc ALIZON et al.

Serial No.: 08/475,822

Filed: June 7, 1995

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) Group Art Unit: 1805  
)  
) Examiner: J. F. RAILEY

#22  
1/28/97  
mlh

For: CLONED DNA SEQUENCES RELATED TO THE GENOMIC RNA OF  
LYMPHADENOPATHY-ASSOCIATED VIRUS (LAV) AND PROTEINS ENCODED BY  
SAID LAV GENOMIC RNA

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Sir:

RESPONSE TO PAPER NO. 20

In response to the Official Action dated June 24, 1996, the period for response which has  
been extended three months by the filing of a request for extension and fee payment filed  
concurrently herewith, applicants submit the following remarks.

REMARKS

Claims 11-18 are provisionally rejected under the judicially created doctrine of  
obviousness-type double patenting as allegedly being unpatentable over claims 11-22 of  
copending application S.N. 08/202,239.

The Examiner indicates that while the conflicting claims are not identical, they are not  
patentably distinct from each other because the claims are directed to identical nucleic acid  
sequences to be used as probes in the diagnostic hybridization methods of the instant application.